



24th April 2023

Nathan Makwana
Uttlesford District Council
London Road
Saffron Walden
CB11 4ER

By email only

Thank you for requesting advice on this application from Place Services' ecological advice service. This service provides advice to planning officers to inform Uttlesford District Council planning decisions with regard to potential ecological impacts from development. Any additional information, queries or comments on this advice that the applicant or other interested parties may have, must be directed to the Planning Officer who will seek further advice from us where appropriate and necessary.

Uttlesford Application: UTT/22/1897/PINS

PINS Reference: S62A/22/0005

Location: Canfield Moat High Cross Lane Little Canfield CM6 1TD

Proposal: Consultation on S62A/22/0005 – Proposing the erection of 15 new dwellings

Dear Nathan,

Thank you for re-consulting Place Services on the above application.

No objection subject to securing biodiversity mitigation and enhancement measures

Summary

We have reviewed the Covering Statement (Planning Direct, February 2023), Preliminary Ecological Appraisal (Samsara Ecology, September 2020), Bat Survey Report (TMA Ecology, October 2022), Ecological Impact Assessment (Samsara Ecology, October 2022), Tree Survey (Arbtech, September 2020), Arboricultural Impact Assessment, drawing no. Arbtech AIA 01 (Arbtech, September 2022), Ecology Enhancement Plan, drawing no. 10949/A1/05 Rev R (Anthony Jane Architecture & Interiors, May 2022) and the Proposed Site Plan External Lighting, drawing no. 10949/A1/29 (Anthony Jane Architecture & Interiors, March 2022) relating to the likely impacts of development on designated sites, protected and Priority species & habitats and identification of appropriate mitigation measures.

The Covering Statement (Planning Direct, February 2023) states that the applicant's intention is to retain T60 as part of the development, but due to its lifespan, it is likely to require removal at some point in the next few years which is why it has been identified for removal in the AIA. It also states that prior to the tree being removed in the future, which would be post development, an ecologist will be consulted in advance which would trigger the need for further assessment for bats. We are



now satisfied that there is sufficient ecological information available for determination of this application.

This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

The mitigation measures identified in the Ecological Impact Assessment (Samsara Ecology, October 2022) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species particularly Great Crested Newt, reptiles, nesting birds, bats and mobile mammal species.

In line with the Ecological Impact Assessment (Samsara Ecology, October 2022), we recommend a Wildlife Sensitive Lighting Strategy should be delivered for this scheme to avoid impacts to foraging and commuting bats, especially on the vegetated boundaries and the rear parts of the gardens. This must follow the [Guidance Note 8 Bats and artificial lighting](#) (The Institute of Lighting Professionals & Bat Conservation Trust, 2018). In summary, it is highlighted that the following measures should be implemented for the lighting design, which could be informed by a professional ecologist:

- Light levels should be as low as possible as required to fulfil the lighting need.
- Warm-White lights should be used preferably at 2700k. This is necessary as lighting which emit an ultraviolet component or that have a blue spectral content have a high attraction effect on insects. This may lead in a reduction in prey availability for some light sensitive bat species.
- If light columns are required, they should be as short as possible as light at a low level reduces the likelihood of any ecological impact. However, the use of cowls, hoods, reflector skirts or shields could also be used to prevent horizontal spill.
- Movement sensors and timers could be used to minimise the 'lit time'.

The main house (Building 1) and Coach House (Building 7) were considered to have high potential to support roosting bats in the Preliminary Ecological Appraisal (Samsara Ecology, September 2020) and Ecological Impact Assessment (Samsara Ecology, October 2022). These buildings are shown to have new external lights installed (Proposed Site Plan External Lighting, drawing no. 10949/A1/29 (Anthony Jane Architecture & Interiors, March 2022)). An assessment as to whether the proposed lighting will impact upon any potential bat roosts or bat access/egress points within these buildings should be undertaken by a suitably qualified ecologist and adjusted if necessary.

Given the potential for Badger to be present within the wider landscape and on site, it is recommended that an update survey for Badger is undertaken prior to commencement to ensure this protected species is accounted for before works commence. This needs to be a condition of any consent.

We support the proposed reasonable biodiversity enhancements including the installation of one hibernaculum, three integrated Swift and two integrated bird boxes, five bird boxes attached to trees, two integrated bat boxes, three bat boxes attached to trees and two hedgehog domes as well as a planting scheme to include a wildflower mix within gardens non-amenity areas or road verges, planting native trees and enhancing existing hedgerows, which have been recommended to secure



net gains for biodiversity, as outlined under Paragraph 174d of the National Planning Policy Framework (2021). The Ecology Enhancement Plan, drawing no. 10949/A1/05 Rev R (Anthony Jane Architecture & Interiors, May 2022) shows a variety of enhancements, however, it is unclear if all of the recommended integrated bird and bat boxes have been provided and the aspect and height they are to be installed at is required. It is recommended that a Biodiversity Enhancement Strategy is produced, alongside any proposed planting details, and is secured by a condition of any consent.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

Impacts will be minimised such that the proposal is acceptable, subject to the conditions below based on BS42020:2013.

We recommend that submission for approval and implementation of the details below should be a condition of any planning consent.

Recommended conditions

1. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

“All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment (Samsara Ecology, October 2022) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.”

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

2. PRIOR TO COMMENCEMENT: TIME LIMIT ON DEVELOPMENT BEFORE FURTHER BADGER SURVEYS ARE REQUIRED

“If the development hereby approved does not commence within 1 year from the date of the planning consent, the approved ecological mitigation measures secured through condition shall be reviewed and, where necessary, amended and updated.

The review shall be informed by further ecological surveys commissioned to:

- i. establish if there have been any changes in the presence and/or abundance of Badger and*
- ii. identify any likely new ecological impacts that might arise from any changes.*

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological



measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of development.

Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.”

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species).

3. PRIOR TO ANY WORKS ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT STRATEGY

“A Biodiversity Enhancement Strategy for protected and Priority species shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;*
- b) detailed designs or product descriptions to achieve stated objectives;*
- c) locations, orientations, and heights of proposed enhancement measures by appropriate maps and plans;*
- d) timetable for implementation;*
- e) persons responsible for implementing the enhancement measures;*
- f) details of initial aftercare and long-term maintenance (where relevant).*

The works shall be implemented in accordance with the approved details prior to occupation and shall be retained in that manner thereafter.”

Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the NPPF 2021 and s40 of the NERC Act 2006 (Priority habitats & species).

4. PRIOR TO OCCUPATION: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME

“A lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.”

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species)



Please contact us with any queries.

Yours sincerely,

Ella Gibbs ACIEEM BSc (Hons)

Senior Ecological Consultant



Place Services provide ecological advice on behalf of Uttlesford District Council

Please note: This letter is advisory and should only be considered as the opinion formed by specialist staff in relation to this particular matter.